

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL MEMORANDUM**

**SB 1695 – HB 2218**

March 3, 2014

**SUMMARY OF ORIGINAL BILL:** Requires anyone convicted of aggravated child neglect or endangerment to serve 90 percent of the sentence imposed. Sentence reduction credits may reduce the percentage, but not below 75 percent.

**FISCAL IMPACT OF ORIGINAL BILL:**

Increase State Expenditures – \$66,600/Incarceration\*

**SUMMARY OF AMENDMENT (012810):** Deletes all language after the enacting clause. Requires anyone convicted of aggravated child neglect or endangerment to serve 85 percent of the sentence imposed. Sentence reduction credits may reduce the percentage, but not below 70 percent.

**FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:**

**NOT SIGNIFICANT**

Assumptions for the bill as amended:

- Tennessee Code Annotated § 40-35-501 requires anyone convicted of aggravated child neglect or aggravated child endangerment to serve 75 percent of the sentence imposed. Sentence reduction credits can reduce the percentage, but in no case can one serve less than 55 percent of the sentence received.
- According to the DOC, the average sentence for aggravated child neglect of a child less than six years of age is 21.5 years. The average time served for a Class A felony is 15.78 years.
- The proposed legislation would require each offender to serve no less than 70 percent of his/her sentence, or 15.05 years ( $21.5 \text{ years} \times 0.70 = 15.05$ ). The proposed legislation will not increase incarceration costs in Tennessee because the average offender already serves more than 70 percent of the sentence received.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise". The signature is fluid and cursive, with the first name "Lucian" written in a larger, more prominent script than the last name "Geise".

Lucian D. Geise, Executive Director

/trm